

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

(1) FANSTEEL METALS, INC.)	
F/K/A FMRI, INC.)	
)	
Plaintiff,)	
)	
v.)	Case No. 6:22-cv-00366-JFH-GLJ
)	
(1) CITIGROUP, INC.; and)	
(2) UNION CARBIDE CORPORATION,)	
)	
Defendants.)	

**DEFENDANT UNION CARBIDE CORPORATION’S
UNOPPOSED MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT [Dkt. 2]**

COMES NOW Defendant Union Carbide Corporation (“Union Carbide”) by and through its counsel of record, and respectfully requests an extension to December 1, 2023 of its time to answer or file other responsive pleading to Plaintiff’s Complaint in this case.

1. The reasons for this request are stated in fuller detail in the Third Joint Status Report of the Parties filed on 8/21/2023, which is incorporated herein by reference. [Dkt. 37].

2. The current deadline for Union Carbide to Answer or otherwise respond to Plaintiff’s Petition is September 1, 2023.

3. The Parties are still awaiting the final report of U.S. EPA’s third-party contractor Toerek, and are not yet in receipt of Toeroek’s final calculations or its determination of any percentage of total RWM volume at the Fansteel Site attributable to any specific Defendant. This report and analysis is necessary before proceeding with pleadings and discovery, and this Defendant, and the Parties, believe that the requested extension of time to answer or file a responsive pleading will save judicial resources, streamline this case, and may facilitate settlement discussions between the parties. *See* Dkt. 37, ¶¶ 15-20. Thus, Union Carbide submits that there is

good cause for the requested extension of time to answer or file a responsive pleading to the Complaint.

4. There is currently no scheduling order in this case, and no trial has been set, and the requested extension will not have any effect on other deadlines.

5. Counsel for Plaintiff has indicated that he consents to and has no objections to Union Carbide's requested extension of time to Answer or otherwise respond to the Complaint.

6. A proposed Order will be submitted pursuant to the Local Rules.

WHEREFORE, PREMISES CONSIDERED, Defendant Union Carbide Corporation respectfully requests that the Court grant Union Carbide an extension until December 1, 2023 to file its Answer or other responsive pleading. Consistent with the Third Joint Status Report [Dkt. 37], Union Carbide also requests that the Parties update the Court regarding the status of the case on or before November 20, 2023.

Respectfully submitted,

s/ Ethan M. Sneed

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of August, 2023, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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